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SHIMMICK CONSTRUCTION COMPANY, INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 SHIMMICK CONSTRUCTION COMPANY,) CASE NO.: CV 08 2214  
INC., a corporation, }

12 Plaintiff,

13 v.

14 RLI INSURANCE COMPANY, a corporation, )  
15 and DOES 1 through 100, )

16 Defendants. )  
17

**DECLINATION TO PROCEED BEFORE A  
MAGISTRATE JUDGE AND REQUEST  
FOR REASSIGNMENT TO A UNITED  
STATES DISTRICT JUDGE**

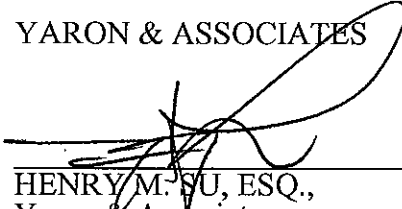
18 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE:

19 The undersigned party hereby declines to consent to the assignment of this case to a United  
20 States Magistrate Judge for trial and disposition and hereby request the reassignment of this case to  
21 a United States District Judge.

22  
23 DATED: May 5, 2008

YARON & ASSOCIATES

24  
25 By:

  
HENRY M. SU, ESQ.,  
Yaron & Associates  
Attorneys for Plaintiffs SHIMMICK  
CONSTRUCTION COMPANY

PROOF OF SERVICE

I am over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is Yaron & Associates, 601 California St., 21<sup>st</sup> Floor, San Francisco, California 94108-2826.

On May 5, 2008, I served the within:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

on all parties in this action as listed by ECF

☐ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses above and (*specify one*):

- ☐ (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- ☐ (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☒ **VIA ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients through PACER. Upon completion of electronic transmission of said document(s), a receipt is issued to serving party acknowledging receipt by PACER's system. Once PACER has served all designated recipients, proof of electronic service is returned to the filing party which will be maintained with the original document(s) in our office. This service complies with CCP §101.6.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on **May 5, 2008**, at San Francisco, California.

  
MARISELA H. NAVRRO